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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/709,102

04/14/2004

Kun-Rong CHANG

OTMP0074USA

3101

27765

7590

12/23/2005

NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION

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EXAMINER

SEVER, ANDREW T

ART UNIT

PAPER NUMBER

2851

DATE MAILED: 12/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No.	Applicant(s)	
	10/709,102	CHANG ET AL.	
	Examiner	Art Unit	
	Andrew T. Sever	2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-10 and 12 is/are rejected.
- 7) ☒ Claim(s) 5 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 6-10, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Kikuchi et al. (JP03059214 as described in English abstract).

Kikuchi teaches in figures 1 and 4 a rear projection display device, comprising:

An image generator (CRT 3), providing image beams;

A reflector (5a and 5b), mounted at a front of the image generator to reflect the image beams onto a screen (2); and

A light shield (13), mounted between the reflector and the screen to block scattered beams that are to be projected onto the screen (all beams can be considered at least partially scattered, read description in the abstract which teaches that the light shield in its active position blocks part of the light beams reflected (scattered) by the mirrors.)

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With regards to applicant's claim 2:

Although not explicitly shown in Kikuchi's drawings, the shield device (and support mechanism (turning shaft 14) must inherently be mounted to the casing else it would fall down and not be useful.

With regards to applicant's claim 3:

The term under is a relative term and accordingly the shield device of Kikuchi can be considered to be mounted under the screen (it equally could be considered to be mounted beside the screen.)

With regards to applicant's claim 4:

The light shield 14 is taught to be at least adjustable between and on and off position.

With regards to applicant's claim 6:

Since the light shield is taught to block all light it is inherently made at least partially of light absorbable material. (All material, at least that isn't transparent at least absorbs some light).

With regards to applicant's claim 7-10 and 12:

See above.

Allowable Subject Matter

3. Claims 5 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: Claims 5 and 11 claim that the casing has an adjusting hole for adjusting the adjusting device. It would not be obvious to replace the automatic/mechanical adjusting means of Kikuchi as this would be tedious at best and not obvious given the stated purpose of the light shield to adjust aspect ratio which frequently alternates between at least two settings when image sources are changed (for example between wide-screen DVD and standard television, it would not be obvious to have the user insert a tool or fingers inside the casing every time the image source is changed).

Response to Arguments

5. Applicant's arguments with respect to claim 1-4, 6-10, and 12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US 5,886,818 to Summer et al. which teaches in figure 1 a light shield (baffle) positioned between the light source (112) and the screen (116).

US 6,527,397 to Furuichi et al. teaches in figure 2 a light shield 14a between the light source and the screen. (See column 4 lines 6-12 for explanation of the light shields function and adjustability.)

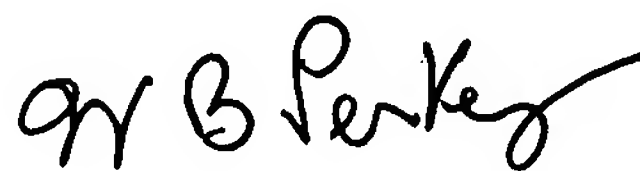
US 6,767,099 to Perkins et al. which teaches in various figures a light shield 120 that can be placed in various positions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew T. Sever whose telephone number is 571-272-2128. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



AS

William Perkey
Primary Examiner